

JS 44C/SDNY  
REV. 1/2003

**CIVIL COVER SHEET**

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

09CV 6852  
Crotty

PLAINTIFFS

DEFENDANTS

IUE-CWA

GENERAL MOTORS CORPORATION, et al.

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Kennedy, Jennik & Murray, P.C.  
113 University Place  
New York, NY 10003  
(212) 358-1500

ATTORNEYS (IF KNOWN)

Well, Gotshal & Manges LLP  
787 Fifth Avenue  
New York, NY 10153

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)

(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

28 U.S.C. 158(a) Appeal from adverse final decision of Bankruptcy Court approving assets under 11 U.S.C. Section 363

Has this or a similar case been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date & Case No.

(PLACE AN [X] IN ONE BOX ONLY)

**NATURE OF SUIT**

TORTS		ACTIONS UNDER STATUTES			
<b>CONTRACT</b>	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<b>FORFEITURE/PENALTY</b>	<b>BANKRUPTCY</b>	<b>OTHER STATUTES</b>
[ ] 110 INSURANCE	[ ] 310 AIRPLANE	[ ] 362 PERSONAL INJURY -	[ ] 610 AGRICULTURE	<input checked="" type="checkbox"/> 422 APPEAL	[ ] 400 STATE
[ ] 120 MARINE	[ ] 315 AIRPLANE PRODUCT	MED MALPRACTICE	[ ] 620 OTHER FOOD &	28 USC 158	REAPPORTIONMENT
[ ] 130 MILLER ACT	LIABILITY	[ ] 365 PERSONAL INJURY	DRUG	[ ] 423 WITHDRAWAL	[ ] 410 ANTI-TRUST
[ ] 140 NEGOTIABLE	[ ] 320 ASSAULT, LIBEL &	PRODUCT LIABILITY	[ ] 625 DRUG RELATED	28 USC 157	[ ] 430 BANKS & BANKING
INSTRUMENT	SLANDER	[ ] 366 ASBESTOS PERSONAL	SEIZURE OF		[ ] 450 COMMERCE
[ ] 150 RECOVERY OF	[ ] 330 FEDERAL	INJURY PRODUCT	PROPERTY	<b>PROPERTY RIGHTS</b>	[ ] 460 DEPORTATION
OVERPAYMENT &	EMPLOYERS'	LIABILITY	21 USC 881		[ ] 470 RACKETEER INFLU-
ENFORCEMENT OF	LIABILITY	<b>PERSONAL PROPERTY</b>	[ ] 630 LIQUOR LAWS	[ ] 820 COPYRIGHTS	ENCED & CORRUPT
JUDGMENT	[ ] 340 MARINE	[ ] 370 OTHER FRAUD	[ ] 640 RR & TRUCK	[ ] 830 PATENT	ORGANIZATION ACT
[ ] 151 MEDICARE ACT	[ ] 345 MARINE PRODUCT	[ ] 371 TRUTH IN LENDING	[ ] 650 AIRLINE REGS	[ ] 840 TRADEMARK	(RICO)
[ ] 152 RECOVERY OF	LIABILITY	[ ] 360 OTHER PERSONAL	[ ] 660 OCCUPATIONAL		[ ] 480 CONSUMER CREDIT
DEFAULTED	[ ] 350 MOTOR VEHICLE	PROPERTY DAMAGE	[ ] 680 SAFETY/HEALTH	<b>SOCIAL SECURITY</b>	[ ] 490 CABLE/SATELLITE TV
STUDENT LOANS	[ ] 355 MOTOR VEHICLE	PRODUCT LIABILITY	[ ] 690 OTHER		[ ] 810 SELECTIVE SERVICE
(EXCL VETERANS)	[ ] 360 OTHER PERSONAL	INJURY		[ ] 861 HIA (1395ff)	[ ] 850 SECURITIES/
[ ] 153 RECOVERY OF			<b>LABOR</b>	[ ] 862 BLACK LUNG (923)	COMMODITIES/
OVERPAYMENT OF			[ ] 710 FAIR LABOR	[ ] 863 DIWC/DIWW (405(g))	EXCHANGE
VETERAN'S			STANDARDS ACT	[ ] 864 SSID TITLE XVI	[ ] 875 CUSTOMER
BENEFITS			[ ] 720 LABOR/MGMT	[ ] 865 RSI (405(g))	CHALLENGE
[ ] 160 STOCKHOLDERS			RELATIONS	<b>FEDERAL TAX SUITS</b>	12 USC 3410
SUITS			[ ] 730 LABOR/MGMT		[ ] 890 OTHER STATUTORY
[ ] 190 OTHER			REPORTING &	[ ] 670 TAXES (U.S. Plaintiff or	ACTIONS
CONTRACT	<b>ACTIONS UNDER STATUTES</b>		DISCLOSURE ACT	Defendant)	[ ] 891 AGRICULTURAL ACTS
CONTRACT	<b>CIVIL RIGHTS</b>	<b>PRISONER PETITIONS</b>	[ ] 740 RAILWAY LABOR ACT	[ ] 671 IRS-THIRD PARTY	[ ] 892 ECONOMIC
PRODUCT	[ ] 441 VOTING	[ ] 510 MOTIONS TO	LITIGATION	26 USC 7809	STABILIZATION ACT
LIABILITY	[ ] 442 EMPLOYMENT	VACATE SENTENCE	[ ] 750 OTHER LABOR		[ ] 893 ENVIRONMENTAL
[ ] 196 FRANCHISE	[ ] 443 HOUSING/	28 USC 2255	SECURITY ACT		MATTERS
	ACCOMMODATIONS	[ ] 530 HABEAS CORPUS	<b>IMMIGRATION</b>		[ ] 894 ENERGY
<b>REAL PROPERTY</b>	[ ] 444 WELFARE	[ ] 535 DEATH PENALTY	[ ] 462 NATURALIZATION		ALLOCATION ACT
[ ] 210 LAND	[ ] 445 AMERICANS WITH	[ ] 540 MANDAMUS & OTHER	APPLICATION		[ ] 895 FREEDOM OF
CONDEMNATION	DISABILITIES -	[ ] 550 CIVIL RIGHTS	HABEAS CORPUS-		INFORMATION ACT
[ ] 220 FORECLOSURE	EMPLOYMENT	[ ] 555 PRISON CONDITION	ALIEN DETAINEE		[ ] 900 APPEAL OF FEE
[ ] 230 RENT LEASE &	[ ] 446 AMERICANS WITH		OTHER IMMIGRATION		DETERMINATION
EJECTMENT	DISABILITIES - OTHER		ACTIONS		UNDER EQUAL
[ ] 240 TORTS TO LAND	OTHER CIVIL RIGHTS				ACCESS TO JUSTICE
[ ] 245 TORT PRODUCT					[ ] 950 CONSTITUTIONALITY
LIABILITY					OF STATE STATUTES
[ ] 290 ALL OTHER					
REAL PROPERTY					

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.? IF SO, STATE:

DEMAND \$ OTHER JUDGE DOCKET NUMBER

Check YES only if demanded in complaint  
JURY DEMAND: ☐ YES ☐ NO

NOTE: Please submit at the time of filing an explanation of why cases are deemed related.

(PLACE AN X IN ONE BOX ONLY)

ORIGIN

- ☒ 1 Original Proceeding ☐ 2a. Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from (Specify District) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judge Judgment
- ☐ 2b. Removed from State Court AND at least one party is pro se.

(PLACE AN X IN ONE BOX ONLY)

BASIS OF JURISDICTION

- ☐ 1 U.S. PLAINTIFF ☐ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE  
CITIZENSHIP BELOW.  
(28 USC 1322, 1441)

CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(Place an [X] in one box for Plaintiff and one box for Defendant)

	PTF	DEF		PTF	DEF		PTF	DEF
CITIZEN OF THIS STATE	[ ]	[ ]	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	[ ]	[ ]	INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE	[ ]	[ ]
CITIZEN OF ANOTHER STATE	[ ]	[ ]	INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE	[ ]	[ ]	FOREIGN NATION	[ ]	[ ]

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

IUE-CWA  
2701 Dryden Road  
Dayton, OH 45439

County of Montgomery

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

General Motors  
300 Renaissance Center  
Detroit, MI 48265-3000

County of Wayne

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN THE RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN  
(DO NOT check either box if this a PRISONER PETITION.)

DATE 7/10/2009 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[ ] NO  
[ ] YES (DATE ADMITTED Mo. 2 Yr. 1981)  
Attorney Bar Code # TK 0993

RECEIPT #

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge \_\_\_\_\_ is so Designated.

J. Michael McMahon, Clerk of Court by \_\_\_\_\_ Deputy Clerk, DATED \_\_\_\_\_

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)